OhioEPA

State of Ohio Environmental Protection Agency

Southeast District Office

2195 Front Street
Logan, Ohio 43138

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www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

February 15, 2007

RE: SCIOTO COUNTY SITE - GEN 20040292

Mr. Charles Adkins
P.O. Box 195
Lucasville, Ohio 45648

Dear Mr. Adkins:

The Southeast District Office of Ohio EPA conducted a follow-up inspection of the complaint that open dumping of solid waste and demolition debris is occurring at 246 Scioto Street, in Lucasville, Scioto County, Ohio.

I conducted an investigation of the site on February 14, 2007, and observed solid wastes, including several scrap tires, and demolition debris dumped on this property. The dump site is located off of the road and the banks of the Scioto River Flood Plain.

Property records obtained from the Scioto County Court House indicate that you purchased this property from Jacob Hettinger on October 3, 2005. As the property owner, you are responsible for the solid waste and demolition debris violations that exist on your property.

Open dumping of solid waste is a violation of Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745-27 of the Ohio Administrative Code (OAC).

Specifically:

ORC 3734.03 - No person shall dispose of solid wastes by open dumping or open burning.

OAC 3745-27-05(C) - No person shall conduct, permit, or allow open dumping. In the event that open dumping is occurring or has occurred at a property, the person responsible for the open dumping, the owner of the property, or the person who allows or allowed open dumping to occur, shall promptly remove and dispose or otherwise manage the solid waste in accordance with Chapter 3734, of the Revised Code, and shall submit verification that the solid waste has been properly managed.

OAC 3745-400-04(B) - No person shall conduct or allow illegal disposal of construction and demolition debris.

Open dumping of solid waste and demolition debris must cease immediately. All solid wastes and demolition debris disposed at the described location must be removed from the property, and taken to a licensed solid waste disposal facility for proper disposal. Obtain copies of receipts from the landfill that received the waste and provide those copies to this District Office in order to document your compliance. Please respond to this District Office within ten days of receipt of this letter to inform me of your intentions and actions taken regarding the open dump.

The disposal facility located nearest to you is the Pike Sanitation Landfill at 11775 State Route 220, Waverly, Ohio. The Portsmouth Exempt Transfer Station is also located on Elm Street in Portsmouth, Ohio. You may choose to use other permitted and licensed facilities as well.

Compliance with the requirements outlined in the letter, or the solid and infectious waste provisions contained on ORC Chapter 3734 and the rules promulgated thereunder, does not relieve the owner of his or her obligation to comply with other applicable State and Federal laws and regulations.

Should you have questions, please contact me at 740-380-5246.

Sincerely,

Clint Shuff, R.S.
Environmental Specialist
Division of Solid and Infectious Waste Management

CAS/jg

cc: Mike Trapp, Scioto County Health Department
cc: Dan Palmer, Lawrence and Scioto County Solid Waste Management District